

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 6, 2007

Rita Hardy
Vice President, Motor Fuels Compliance
Flint Hills Resources, LP
P.O. Box 2917
Wichita, KS 67201-2917

Re: Alternative Diesel Fuel Formulation Approval Notification

Dear Ms Hardy:

The Texas Commission on Environmental Quality (TCEQ) has approved the Flint Hill Resources CCD15010 fuel formulation with HiTEC[®] 4121 additive as an alternative diesel fuel formulation for Texas low emission diesel fuel (TxLED) in accordance with the TxLED regulations under Title 30 Texas Administrative Code (30 TAC) §114.315(d). This approval applies only to the Flint Hill Resources CCD15010 fuel formulation with HiTEC[®] 4121 additive as specified in the verification statement signed by the United States Environmental Protection Agency's (EPA) Environmental Technology Verification (ETV) Program on May 17, 2007. This approval is based upon the following findings:

- The verification statement and associated report issued by the EPA's ETV program verifies that the use of the Flint Hill Resources CCD15010 fuel formulation with HiTEC[®] 4121 additive reduces the emissions of nitrogen oxides (NO_x) from diesel engines by an average 8.2 percent, which is greater than the 5.78 percent required under 30 TAC §114.315(d)(4) to be approved by the TCEQ as an alternative diesel formulation for TxLED. In addition, the EPA's Voluntary Diesel Retrofit Program (VDRP) has also verified the NO_x emission reduction benefits from the use of the Flint Hill Resources CCD15010 fuel formulation with HiTEC[®] 4121 additive and has approved the use of this product to reduce emissions from on-highway motor vehicles and non-road equipment.

Therefore, since the NO_x emission reductions as verified and approved by the EPA indicate that the Flint Hill Resources CCD15010 fuel formulation with HiTEC[®] 4121 additive will achieve comparable or better reductions in NO_x emissions as attributed to TxLED, the TCEQ approves the Flint Hill Resources CCD15010 fuel formulation with HiTEC[®] 4121 additive as an alternative diesel fuel formulation under the following notice:

- TCEQ assigned TxLED formulation identification number: TXLED-A-00011.

As a TCEQ approved alternative diesel fuel formulation, Flint Hill Resources LP may use the Flint Hill Resources CCD15010 fuel formulation with HiTEC[®] 4121 additive for compliance with the TxLED fuel content requirements in accordance with 30 TAC §114.312(f). Flint Hill Resources LP must comply with the appropriate monitoring, recordkeeping, and quarterly reporting requirements specified under 30 TAC §114.316 when selling or supplying this product for use in any of the 110 Texas counties where TxLED must be sold.

Ms. Rita Hardy
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Re: Alternative Diesel Fuel Formulation Approval Notification

Enclosed with this letter is the Approval Notification documenting TCEQ's approval of the Flint Hill Resources CCD15010 fuel formulation with HiTEC® 4121 additive as an alternative diesel fuel formulation for TxLED. This letter and the Approval Notification document will be posted to the TCEQ website for public notice at the following link:

<http://www.tceq.state.tx.us/implementation/air/sip/cleandiesel.html>.

If you have any questions, please contact Mr. Morris Brown in the TCEQ's Air Quality Division at (512) 239-1438.

Sincerely,



David C. Schanbacher, P.E.
Chief Engineer
Texas Commission on Environmental Quality

DS/mb

Enclosure



**Texas Low Emission Diesel Fuel (TxLED)
Alternative Diesel Fuel Formulation
Approval Notification**

The alternative diesel fuel formulation listed herein has been demonstrated to the satisfaction of the executive director of the Texas Commission on Environmental Quality in accordance with the regulations specified under Title 30 Texas Administrative Code (30 TAC) §114.315(d) to have emissions of nitrogen oxides (NO_x) and particulate (PM) that are comparable to or better than Texas Low Emission Diesel Fuel (TxLED). Therefore, the alternative diesel fuel formulation listed herein complies with the requirements specified under 30 TAC §114.312(f) and may be used to satisfy the requirements of 30 TAC §114.312(a) of this title.

Approval Date:	July 6, 2007
TCEQ Assigned Identification Number:	TXLED-A-00011
Approved alternative diesel fuel formulation:	Flint Hill Resources CCD15010 fuel formulation with HiTEC® 4121 additive
EPA Registration Number and Name:	<ul style="list-style-type: none">• 502512215 Grade 1-Diesel (Fleet Hill Resources, L.P.)• 502512215 Grade 2-Diesel (Fleet Hill Resources, L.P.)• 000220425 HiTEC® 4121 Fuel Additive (Afton Chemical Corp.)
Additive Identity:	<ul style="list-style-type: none">• Afton Chemical Corporation HiTEC® 4121
Additive Minimum Concentration / Treatment Rate:	<ul style="list-style-type: none">• Proprietary
Base Diesel Fuel Specifications:	<ul style="list-style-type: none">• Proprietary Flint Hill Resources CCD15010 fuel formulation